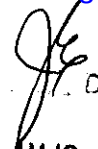


IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY  D.C.

05 MAY 18 AM 10:24

ROBERT R. DI TROLIO  
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W.D. OF TN, MEMPHIS

IRON WORKERS LOCAL UNION  
NO. 167 HEALTH AND WELFARE  
PLAN AND TRUST, *et al.*,

Plaintiffs,

v.

No. 2:05cv2158-B/V

JWG SALES & SERVICE, INC.,

Defendant.

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**RULE 16(b) SCHEDULING ORDER**

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Pursuant to written notice, a scheduling conference was held on May 19, 2005. Present were James R. Newsom, III and Carmel A. Morgan, counsel for Plaintiffs, and Bryan E. Dye, counsel for Defendant. At the conference, the following dates were established as the final dates for:

INITIAL DISCLOSURES PURSUANT TO Fed.R.Civ.P. 26(a)(1): June 2, 2005.

JOINING PARTIES: July 19, 2005.

AMENDING PLEADINGS: July 19, 2005.

INITIAL MOTIONS TO DISMISS: August 19, 2005.

COMPLETING ALL DISCOVERY: January 19, 2006.

(a) DOCUMENT PRODUCTION: January 19, 2006.

(b) DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR  
ADMISSIONS: January 19, 2006.

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(c) EXPERT WITNESS DISCLOSURE (Rule 26):

- (1) DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT INFORMATION: November 18, 2005.
- (2) DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT INFORMATION: December 19, 2005.
- (3) EXPERT WITNESS DEPOSITIONS: January 19, 2006.

FILING DISPOSITIVE MOTIONS: February 20, 2006.

OTHER RELEVANT MATTERS:

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for non-jury trial, and the trial is expected to last 1day(s). The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge.

After the close of discovery, the parties will advise the Court if this case is appropriate for ADR, and whether court-annexed attorney mediation or private mediation should be conducted.

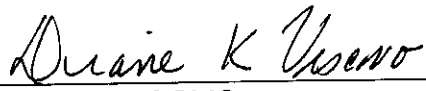
The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have not consented to trial before the magistrate judge.

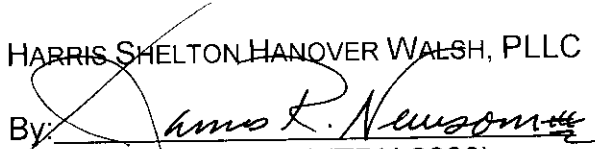
This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.

  
\_\_\_\_\_  
DIANE K. VESCOVO  
UNITED STATES MAGISTRATE JUDGE  
DATE: May 17, 2005

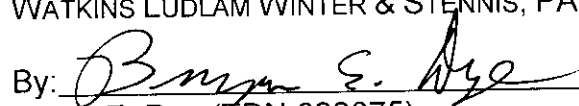
By consent:

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## Notice of Distribution

This notice confirms a copy of the document docketed as number 14 in case 2:05-CV-02158 was distributed by fax, mail, or direct printing on May 24, 2005 to the parties listed.

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Honorable J. Breen  
US DISTRICT COURT